

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

ILLUMINATION MANAGEMENT)	
SOLUTIONS, INC.,)	
Plaintiff,)	
)	Case No. 6:10-CV-279
v.)	
)	Judge Leonard Davis
RUUD LIGHTING, INC.,)	Magistrate Judge John Love
Defendant.)	

**NOTICE TO COURT REGARDING RUUD LIGHTING'S
PENDING MOTION TO TRANSFER**

Defendant, Ruud Lighting, Inc., wishes to notify this Court of two new matters which relate to Ruud Lighting's pending motion to transfer this case to the Eastern District of Wisconsin [DE-11].

**Ruud Lighting's Motion to Transfer the Related California Action
to the Eastern District of Wisconsin Has Been Granted**

In briefs on the pending motion to transfer, Ruud Lighting had previously informed this Court of the related California action captioned *Illumination Management Solutions, Inc. v. Alan Ruud, Christopher Ruud and Ruud Lighting, Inc.* (Case No. 8:10-cv-00797-JST-AN), and of the fact that Ruud Lighting and its two principal officers had filed a motion to transfer the California action to Wisconsin.

Following complete briefing and a December 6, 2010 hearing on the California motion to transfer, on December 7, The Honorable Josephine Staton Tucker of the Central District of California granted the motion to transfer the California case to the Eastern District of Wisconsin. A copy of the California court's order, entered on December 10, is attached. On December 13, the Eastern District of Wisconsin opened the transferred case as Case No. 2:10-cv-01120-JPG.

**New Federal Circuit Decision Relevant to Ruud Lighting's Motion to Transfer
the Texas Action to the Eastern District of Wisconsin**

Ruud Lighting also wishes to notify the Court of a December 3, 2010 Federal Circuit decision which addresses Section 1404(a) motions to transfer. A copy of the Federal Circuit's decision in *In re Acer Am. Corp., et al.*, 2010 WL 4911307, __ F.3d __ (Fed. Cir. Dec. 3, 2010) is attached to this notice.

Dated this 16th day of December, 2010.

Respectfully submitted,

s/Molly Hogan McKinley
Molly Hogan McKinley

Peter N. Jansson (*pro hac vice*)
pjansson@janlaw.com
Molly H. McKinley (*pro hac vice*)
mmckinley@janlaw.com
JANSSON SHUPE & MUNGER LTD.
245 Main Street
Racine, WI 53403
Tel: 262/632-6900
Fax: 262/632-2257

and

Tom Henson
thenson@rameyflock.com
Andrew W. Stinson
astinson@rameyflock.com
RAMEY & FLOCK, P.C.
100 East Ferguson, Suite 500
Tyler, Texas 75702
Tel: 903/597-3301
Fax: 903/597-2413

Attorneys for Defendant, Ruud Lighting, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on December 16, 2010, I electronically filed the foregoing document with the clerk for the U.S. District Court for the Eastern District of Texas - Tyler Division using the electronic case filing system of the Court. The electronic filing system sent a “Notice of Electronic Filing” to all attorneys of record, who have consented in writing to accept this Notice as service of this document by electronic means.

s/Dawn MacDonald-Wolff